

PAUL M. WARNER, United States Attorney (#3389)
ROBERT C. LUNNEN, Assistant United States Attorney (#4620)
Attorneys for the United States of America
185 South State Street, Suite 400
Salt Lake City, Utah 84111
Telephone: (801) 524-5682
Facsimile: (801) 524-6926

FILED
CLERK, U.S. DISTRICT COURT

2004 DEC 17 P 3:47

2004 DEC 17 P 3:47
CLERK
Co

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, : No. 2:04-CR-0659-JTG
Plaintiff, : GOVERNMENT'S POSITION WITH
vs. : RESPECT TO SENTENCING
FACTORS
JOSHUA STEPHEN DEMMITT, : Judge J. Thomas Greene
Defendant.

The United States, by and through the undersigned Assistant United States Attorney
hereby submits its position with respect to sentencing factors in the above-captioned case.

The United States reviewed a copy of the Pre-sentence Report provided by Jeff
Rosenlund, U.S. Probation Officer and does not object to either the material information
provided therein, nor to the sentencing guideline classification and calculation made by the
United States Probation Office.

DATED this 17th day of December, 2004.

PAUL M. WARNER
United States Attorney

Robert C. Lunnen

ROBERT C. LUNNEN
Assistant United States Attorney

8

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office for the District of Utah, and that a copy of the foregoing GOVERNMENT'S POSITION WITH RESPECT TO SENTENCING FACTORS was mailed, postage prepaid to all parties named below, this 19th of December, 2004.

Clayton A. Simms
Attorney for Joshua Demmitt
215 South State Street, Suite 960
Salt Lake City, Utah 84111

Jeff Rosenlund
U.S. Probation Office
Salt Lake City, Utah

A handwritten signature in black ink, appearing to read "Clayton A. Simms", is written over a horizontal line.